

Docket No. 273056US0PCT



JC01 Rec'd PCT/PTO 31 AUG 2005

MAIL STOP PCT

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shigehiko IMAGAWA, et al.

SERIAL NO: 10/537,407

GAU:

FILED: June 2, 2005

EXAMINER:

FOR: ERYTHROPOIETIN PRODUCTION ACCELERATOR

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY DOCKET NO. 273056US0PCT	SERIAL NO. 10/537,407
LIST OF REFERENCES CITED BY APPLICANT		APPLICANT Shigehiko IMAGAWA, et al.	
		FILING DATE June 2, 2005	GROUP

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	2004/0053918	03/18/04	IMAGAWA et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION
					YES      NO
	AO				
	AP				
	AQ				
	AR				

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

AS	LIN et al. "Cloning and expression of the human erythropoietin gene", Proc. Natl. Acad. Sci., vol. 82, pages 7580-7584 1985	
AT	ESCHBACH et al. "Correction of the Anemia of End-Stage Renal Disease with Recombinant Human Erythropoietin", The New England Journal of Medicine, vol. 316, no. 2, pages 73-78 1987	
AU	ESCHBACH et al. "Recombinant Human Erythropoietin in Anemic Patients with End-Stage Renal Disease", Annals of Internal Medicine, vol. 111, pages 992-1000 1989	
AV	LIM et al. "Recombinant Human Erythropoietin Treatment in Pre-Dialysis Patients", Annals of Internal Medicine, vol. 110, pages 108-114 1989	
AW	DANNA et al. "Erythropoietin Therapy for the Anemia Associated with AIDS and AIDS Therapy and Cancer", Erythropoietin in Clinical Applications, pages 301-325 1990	
AX	SPIVAK et al. "The In Vivo Metabolism of Recombinant Human Erythropoietin in the Rat", Blood, vol. 73, no. 1, pages 90-99 1989	
AY	MCMAHON et al. "Pharmacokinetics and Effects of Recombinant Human Erythropoietin After Intravenous and Subcutaneous Injections in Healthy Volunteers", Blood, vol. 76, no. 9, pages 1718-1722 1990	<input type="checkbox"/> Additional References sheet(s) attached

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. PCT Application Serial No.: 10/537,407  
Docket No.: 273056US0PCT

#### STATEMENT OF RELEVANCY

- 1) References \_\_\_\_\_ have been cited in the International Search Report. Copies of these references are being submitted herewith only when not automatically provided by the International Searching Authority.
- 2) References \_\_\_\_\_ have been cited in the corresponding \_\_\_\_\_ Search Report. A copy of these references is being submitted herewith.
- 3) References AS-AY are discussed in the specification. A copy of these references is being submitted here with.
- 4) References \_\_\_\_\_ are additional prior art known to Applicant. A copy of these references is being submitted herewith.

**LIST OF RELATED CASES**

<u>Docket Number</u>	<u>Serial or Patent Number</u>	<u>Filing or Issue Date</u>	<u>Patent Appl. Publication No.</u>	<u>Inventor/Applicant</u>
273056US0PCT*	10/537,407	06/02/05		IMAGAWA, et al.
239620US0	10/607,996	06/30/03	US2004/0053918 A1	IMAGAWA, et al.

\*Present Application; listed for information  
NFO/kch